



Fiscal Note

H.B. 204

2019 General Session
Employment Selection Procedures Act
Amendments
by Wheatley, M.



General, Education, and Uniform School Funds

JR4-5-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$(12,500)	\$(6,250)	\$(18,750)

State Government

UCA 36-12-13(2)(b)

Revenues	FY 2019	FY 2020	FY 2021
Total Revenues	\$0	\$0	\$0
Enactment of this bill could increase state revenues by between \$400 and \$4,000 per case in penalty payment retention if an aggrieved party wins their case. As determined by the bill, 40% of the penalty recovered from a business (\$1,000 to \$10,000 per case) will be retained by the Labor Commission. Assuming that there are 10 cases per year and a penalization rate of 80%, the state could increase revenues by a total of \$3,200 to \$32,000.			
Expenditures	FY 2019	FY 2020	FY 2021
General Fund	\$0	\$12,500	\$12,500
General Fund, One-Time	\$6,250	\$0	\$0
Total Expenditures	\$6,250	\$12,500	\$12,500
Enactment of this legislation could cost the Labor Commission an estimated \$2,000 one-time in FY 2019 and \$4,000 ongoing starting in FY 2020. These funds would be spent on an additional .04 FTE's for part-time investigation. An additional \$4,250 one-time in FY 2019 and \$8,500 ongoing starting in 2020 would be spent on an estimated 10 hours of work on 10 cases by the Attorney General's Office.			
Net All Funds	FY 2019	FY 2020	FY 2021
	\$(6,250)	\$(12,500)	\$(12,500)

Local Government

UCA 36-12-13(2)(c)

Enactment of this legislation likely will not result in direct, measurable costs for local governments.

Individuals & Businesses

UCA 36-12-13(2)(d)

Enactment of this bill could cost businesses between \$1,000 and \$10,000 in penalties if they violate the statute. Assuming that there are 10 cases per year and a penalization rate of 80%, businesses would face a total of \$8,000 to \$80,000 in penalties statewide. Enactment of this bill could benefit aggrieved individuals by between \$600 and \$6,000 in awards if they win their case. As determined by the bill, 60% of the penalty recovered from a business (\$1,000 to \$10,000 per case) will be given to the aggrieved individual. Assuming that there are 10 cases per year and a penalization rate of 80%, individuals could receive a total of \$4,800 to \$48,000 in penalties statewide.

Regulatory Impact

UCA 36-12-13(2)(e)

Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.

Performance Note

JR4-2-404

No performance note required for this bill

Notes on Notes

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.